

REMARKS

Applicant respectfully requests reconsideration of the subject application in view of the foregoing claim amendments and the remarks which follow.

A. Applicant's Second Preliminary Amendment

Applicant notes that a Second Preliminary Amendment was submitted in connection with the subject application under Certificate of Mailing dated August 4, 2003. The Second Preliminary Amendment apparently crossed in the mail with the outstanding Office Action. Applicant respectfully requests that the additional dependent claims set forth in the Second Preliminary Amendment be substantively examined in connection with consideration of the present Amendment and Response.

B. Claim Amendments

Applicant has amended the claims in the present application, as follows: independent claim 1 and dependent claims 3-5 and 7-9 have been amended, without prejudice; dependent claim 10 has been canceled, without prejudice; new independent claims 23 and 25 have been added; and new dependent claims 19-22, 24 and 26-27 have been added. After entry of the above-noted amendments, claims 1-27 are pending in this application. Claims 1, 23 and 25 are independent claims. The remaining claims (i.e., claims 2-9, 11-22, 24 and 26-27) are dependent claims.

Applicant respectfully submits that amended independent claim 1 and new independent claims 23 and 25 particularly point out and distinctly claim the subject matter hereof. In particular, applicant submits that the amended and new independent claims are neither vague nor indefinite pursuant to 35 U.S.C. §112, and that outstanding issues under Section 112 are obviated thereby. Applicant further submits that the application, as filed, provides support for the amended and new independent claims.

In addition, each of the newly added dependent claims is directed to subject matter for which applicant believes patent protection should be granted. Applicant has also addressed the various Section 112 issue raised by the Examiner with respect to applicant's dependent claims. Applicant respectfully submits that support for the new and amended dependent claims is found throughout the application, as filed.

Applicant respectfully submits that no new matter has been added by way of applicant's proposed claim amendments, and entry thereof is respectfully requested.

C. Response to Rejections Under 35 U.S.C. §112

In the outstanding Office Action, claims 1-10 were rejected under 35 U.S.C. §112, second paragraph. Dependent claim 10 has been canceled, without prejudice. Independent claim 1 and dependent claims 3-5 and 7-9 have been amended in a manner that is believed to address the Section 112 issues raised in the outstanding Office Action. Applicant respectfully submits that the outstanding rejections under 35 U.S.C. §112, second paragraph, are obviated by the claim amendments presented herein, and that all pending claims (1-9, 11-22, 23-24 and 25-27) fully comply with the requirements of Section 112. Reconsideration and withdrawal of the outstanding Section 112 rejections are requested.

D. Response to Art Rejection

In the outstanding Office Action, claims 1-2, 6 and 10 were rejected under 35 U.S.C. §102(b) based on the teachings of U.S. Patent No. 4,636,325 to Greene. Applicant notes with appreciation that claims 3-5 and 7-9 were not subject to art-based rejections in the outstanding Office Action.

Applicant respectfully submits that all pending claims patentably distinguish over the art of record. In particular, applicant notes that the sole independent claim 1 for purposes of the prior Office Action has been amended to more particularly point out the subject matter of the present invention, and that the currently pending independent claims (i.e., claims 1, 23 and 25) each recite that heat absorption is accomplished "at least in part based on an irreversible decomposition of [a] bicarbonate salt." Applicant respectfully submits that the Greene '325 patent relied upon in the outstanding rejections under 35 U.S.C. §102(b) fails to teach or suggest an article of manufacture for effecting heat absorption wherein such heat absorption is effected "at least in part based on an irreversible decomposition of [a] bicarbonate salt." Indeed, the Greene '325 patent teaches a heat exchange system/fluid that contemplates reversible thermal exchange.

For at least the foregoing reason, applicant respectfully submits that independent claims 1, 23 and 25 patentably distinguish over the Greene '325 patent. Moreover,

inasmuch as the remaining claims (i.e., claims 2-9, 11-22, 24 and 26-27) depend, either directly or indirectly, from the foregoing independent claims, applicant respectfully submits that such dependent claims patentably distinguish over the art of record for at least the reason noted with respect to the independent claims 1, 23 and 25.

* * * * *

For the foregoing reasons, applicant respectfully submits that all pending claims are now in condition for allowance. Prompt action leading to an early Notice of Allowance is earnestly solicited. If the Examiner believes that a telephonic interview may facilitate resolution of any matter, applicant's representative may be contacted at the number indicated below.

Respectfully Submitted,



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Date: August 6, 2003

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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date: 8/6/03

Name: Joan Simmons

Signature: 

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